IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 1ST DECEMBER 2006 / 10TH AGRAHAYANA 1928

WP(C).No. 30160 of 2006(M)

PETITIONER:

KUTTAPPAN, AGED 40 YEARS,
S/O. VAVAKUTTY, PAPALIVELI HOUSE,
MUHAMMA P.O., ALAPPUZHA.

BY ADV. SRI.C.V.MANUVILSAN
SRI.G.SUDHEER (THURAVOOR)
SRI.P.C.ANIL KUMAR

RESPONDENTS:

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1. THE STATE OF KERALA, REP. BY
THE SECRETARY, LABOUR AND REHABILITATION
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR,
ALAPPUZHA.

3. THE EMPLOYMENT OFFICER,
EMPLOYMENT EXCHANGE, CHERTHALA.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO. 30160 of 2006

Dated this the 1st day of December, 2006

JUDGMENT

The petitioner is a physically challenged person. It is also stated that he belongs to a scheduled tribe community. He has registered his name in the Employment Exchange. It is contended that his legitimate claim for appointment against a vacancy in the post of Telephone Operator, which is identified by the department to be reserved for the appointment of physically challenged persons has not been properly considered.

2. Learned Government Pleader, on instructions, submits that as pointed out by the petitioner, one vacancy of telephone operator is available, but the petitioner may not be benefited by that , because in the seniority list maintained in the Employment Exchange, the petitioner's turn will reach only after seven others who have got preference over him are appointed from that list.

3. This being the fact situation, the petitioner will have to wait for his turn. Without prejudice to his right to adjudicate his claims against the appropriate vacancy, this writ petition is disposed of.

K.K.DENESAN, JUDGE

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